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**By ECF**

Hon. Jennifer H. Rearden  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

The Court's January 19, 2023 Notice of Reassignment adjourned "all previously scheduled appearances or conferences before the District Judge." ECF No. 58. Accordingly, the parties' joint request for an adjournment of the pretrial conference previously scheduled for July 6, 2023 (ECF No. 69) is DENIED as moot. SO ORDERED.

July 5, 2023

Re: *Sussman Sales Co., Inc. v. VWR International, LLC*, 20-cv-2869 (JHR)  
Joint Letter-Motion to Chambers Requesting Adjournment of Pretrial Conference

Dear Judge Rearden,

Counsel for the parties in the above-referenced action submit this joint letter-motion to request an adjournment of the pretrial conference ("PTC") scheduled for July 6, 2023 (ECF No. 57).

This is the parties' third request to adjourn. As noted in their January 21, 2022 joint letter to the Court, the parties agreed to seek as part of their initially proposed Case Management Plan a partial stay of certain discovery. Specifically, the parties sought a Case Management Plan that included a three-month stay of: (1) the issuance and response to interrogatories; (2) the issuance and response to Requests to Admit; (3) the noticing or commencement of depositions, and (4) the deadline to add additional parties. (ECF No. 49). The Court subsequently so-ordered the parties' proposed Case Management Plan and Scheduling Order, including the proposed partial stay, on January 24, 2022. (ECF No. 50). That order scheduled the PTC for February 3, 2023.

In December 2022, the parties requested an extension of the fact discovery deadline to June 23, 2023 and a similar extension of other deadlines. The parties explained that they needed



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additional time to properly complete discovery and prepare for trial and that they expected to complete depositions after Plaintiff produced documents. The Court granted this request and entered a revised Civil Case Management Plan and Scheduling Order. (ECF No. 57). That Order rescheduled the PTC to July 6, 2023.

Last month, the parties submitted a joint letter to this Court requesting another extension of discovery deadlines because they needed additional time to properly complete discovery and prepare for trial. That extension would necessarily require an adjournment of the July 6, 2023, PTC. (ECF No. 64). That letter-motion is pending. Since then, this Court has stayed all discovery deadlines pending the Court's determination of whether it has subject matter jurisdiction. (ECF No. 66). Because the Order did not specifically refer to the upcoming PTC, the parties are now formally requesting an adjournment of the upcoming PTC on July 6, 2023 in light of the Court's stay of discovery deadlines.

The parties thank the Court for its consideration.

Respectfully submitted,

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